

JOSE ROMAN, SR.	:	UNITED STATES DISTRICT COURT
Plaintiff	:	MIDDLE DISTRICT OF PA
	:	
Vs.	:	
	:	
FREDERICK W. FUHRMAN POST NO. 23	:	No. 1:10-CV-1259
VETERANS OF FOREIGN WARS OF THE	:	
UNITED STATES, INC.; LEBANON	:	
VALLEY TEENER BASEBALL LEAGUE;	:	
and JOHN DOES 1-10,	:	
Defendants	:	

**ANSWER OF DEFENDANT, FREDERICK W. FUHRMAN POST NO. 23**  
**VETERANS OF FOREIGN WARS OF THE UNITED STATES INC.,**  
**TO PLAINTIFF'S FIRST AMENDED COMPLAINT**

AND NOW, comes Defendant, Frederick W. Fuhrman Post No. 23 Veterans of Foreign Wars of the United States, Inc. (hereafter "Defendant" or "Post 23"), by and through its counsel, and answers Plaintiff's First Amended Complaint, as follows:

1. No response required.
2. Denied.
3. No response required.
4. Admitted.
5. Admitted.
6. Admitted.
7. Admitted.
8. Defendant is without knowledge or information sufficient to form a belief about the truth of this allegation.
9. No response required.

10. Admitted in part, denied in part. It is admitted that Plaintiff for some period of time coached the Shay's Vending Teener Baseball Team. Defendant is without knowledge or information sufficient to form a belief as to whether Plaintiff was "selected" to coach the team, whether he simply volunteered and was accepted or what other circumstance surrounded his accession to the coaching position. Further, it is specifically denied that the baseball league of which Shay's Vending Teener Baseball Team is a part is organized, controlled, owned and managed by Defendant. By way of further response, Post 23, nor any individual acting on its behalf, has any organizational controlling ownership or management role in the Lebanon City-County Teener Baseball League or Shay's Vending teener baseball team.

11. Defendant lacks knowledge or information sufficient to form a belief as to the truth of this allegation.

12. With regard to Plaintiff's allegation that Plaintiff was given a list of rules at the alleged meeting referenced in Paragraph 11 of Plaintiff's Complaint, answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the averment. It is specifically denied that the list of rules referenced in Exhibit "A" to Plaintiff's Complaint was promulgated in whole or in part in any way by answering Defendant. By way of further response, aside from sponsoring one team in the league through the gift of a small financial contribution, answering Defendant has no control over or affiliation with the Lebanon City-County Teener Baseball League or any of the teams that comprise it, including the team it sponsors.

13. Admitted.

14. It is specifically denied that Freddie Gonzalez and Jose Lopez are representatives of answering Defendant. Defendant is without knowledge of or information sufficient to form a belief as to Plaintiff's allegation that those individuals provided a rule sheet to Plaintiff.

15. Specifically denied that Freddie Gonzalez and Jose Lopez are representatives of answering Defendant. It is specifically denied that any representative of Defendant participated in any way in meeting regarding the promulgation of the alleged "No Spanish" rule or any other rule regarding the functioning of the Lebanon City-County Teener Baseball League. It is specifically denied that answering Defendant at any point acted with the purpose of discriminating against Plaintiff or any other team, coach or individual.

16. See answer to No. 15.

17. Answering Defendant had no representative present or role in the alleged meeting. Consequently, Defendant is without knowledge or information sufficient to form a belief as to whether such a meeting occurred or as to whether Plaintiff objected to the alleged rule.

18. See answer to No. 17.

19. Answering Defendant is without knowledge or information sufficient to form a belief as to whether such a meeting ever took place. Answering Defendant admits that Mr. Roman coached the Shay's Vending baseball team for some period of time.

20. Answering Defendant is without knowledge or information sufficient to form a belief about the truth of the allegations contained in Paragraph 20 of Plaintiff's Complaint.

21. Answering Defendant is without knowledge or information sufficient to form a belief about the truth of the allegations contained in Paragraph 21 of Plaintiff's Complaint.

22. Answering Defendant is without knowledge or information sufficient to form a belief about the truth of the allegations contained in Paragraph 22 of Plaintiff's Complaint. Fred Gonzalez is not named as a Defendant in this action.

23. Answering Defendant is without knowledge or information sufficient to form a belief about the truth of the allegations contained in Paragraph 23 of Plaintiff's Complaint.

24. Answering Defendant is without knowledge or information sufficient to form a belief about the truth of the allegations contained in Paragraph 24 of Plaintiff's Complaint.

25. No response required.

26. Admitted.

27. Answering Defendant had no role in Plaintiff's accession to the role of coach of the Shay's Vending Teener Baseball League to the allege promulgation of the alleged "English Only" policy or to Plaintiff's alleged termination. Consequently, answering Defendant is without knowledge or information sufficient to form a belief as to the statements contained in this allegation.

28. See answer to No. 27.

29. See answer to No. 27.

30. No response required.

31. Denied.

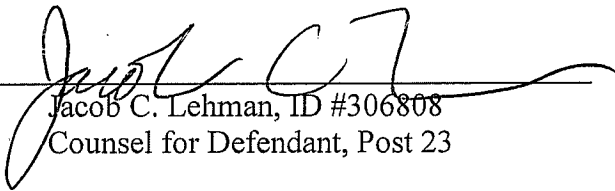
32. Denied.

33. Denied.

34. Denied.

REILLY, WOLFSON, SHEFFEY, SCHRUM  
AND LUNDBERG LLP

By: \_\_\_\_\_

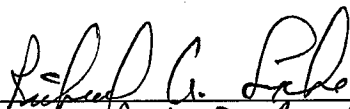
  
Jacob C. Lehman, ID #306808  
Counsel for Defendant, Post 23

Date: September 20, 2010

**VERIFICATION**

I verify that the statements made in the foregoing document are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. § 4904, relating to unsworn falsification to authorities.

FREDERICK W. FUHRMAN POST NO. 23  
VETERANS OF FOREIGN WARS OF  
THE UNITED STATES, INC.

BY:   
Name: RICHARD A. LABE  
Title: COMMANDER

Date: September 18<sup>th</sup>, 2010